

EXHIBIT 49

1 **IN THE SUPERIOR COURT OF MUSCOGEE COUNTY**

2 **G E O R G I A**

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4 FORT BENNING FAMILY)
5 COMMUNITIES, LLC AND)
6 FORT BELVOIR RESIDENTIAL)
7 COMMUNITIES, LLC,)
8 Plaintiffs,)
9 vs.) CASE NO:
10) SU-2010-CV-2025
11 AMERICAN MANAGEMENT)
12 SERVICES EAST, LLC AND)
13 AMERICAN MANAGEMENT)
14 SERVICES, LLC)
15 (d/b/a Pinnacle),)
16 Defendants.)
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16 HEARING of the above cause came on to be heard on
17 the 12th day of September, 2011, before the Honorable Frank
18 J. Jordan, Jr., Judge of the above-styled Court, 10th
19 Floor, Columbus Consolidated Government Center, Muscogee
20 County, Columbus, Georgia.

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24 KATHY S. BOSTIC, R.P.R.
25 OFFICIAL COURT REPORTER
 CHATTAHOOCHEE JUDICIAL CIRCUIT

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1 APPEARANCES OF COUNSEL:

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6 For the Defendants: HONORABLE MARCUS CALHOUN
7 HONORABLE THOMAS E. DUTTON
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Attorneys at Law

1 auditors has not been able to calculate that is because
2 there isn't available data to identify the actual altered
3 data, correct?

4 A. As I understand it, yes.

5 Q. Indeed, the actual paper copies of the work
6 orders, those have been discarded by Pinnacle, haven't
7 they?

8 A. I don't know if they've been discarded or lost.

9 Q. They just don't exist, correct?

10 A. Apparently, some of them don't exist.

11 Q. And you testified about Yardi. You understand
12 that Yardi had a feature, that if Pinnacle had turned it
13 on, it would have captured what data was specifically
14 altered, and that feature was not turned on at Belvoir,
15 correct?

16 A. I don't know the reason, that's Yardi. I asked
17 our Yardi person and they said they're not aware of the
18 feature.

19 Q. Okay. So you don't have any knowledge of that?

20 A. No.

21 Q. Now, let's go to the -- Mr. Hudspeth and the --
22 and to the payments that he was taking from vendors at Fort
23 Belvoir. Again, I didn't hear you really talk about that
24 on direct, but let me just focus on it for a moment.

25 So you first learned that Mr. Hudspeth had

1 STATE OF GEORGIA

2 COUNTY OF MUSCOGEE

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4 C E R T I F I C A T E

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6 The foregoing transcript of the proceedings was
7 taken before me and reduced to typewriting under my
8 direction and supervision, and I certify that it is a true
9 and correct transcript of the proceedings.

10 WITNESS MY HAND this 20th day of September, 2011.

11

12 
13 KATHY S. BOSTIC, RPR
14 Official Court Reporter for the
15 Chattahoochee Judicial Circuit
16 Certificate No. B-1863

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